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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/495,122

02/01/2000

Bernd Willer

95-304

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7590

12/18/2003

MANELLI DENISON & SELTER  
2000 M STREET NW SUITE 700  
WASHINGTON, DC 20036-3307

EXAMINER

PHAM, TUAN

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 12/18/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/495,122

Applicant(s)

WILLER, BERND

Examiner

TUAN A PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-12 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al. (U.S. Patent No. 5,050,190, hereinafter, "Shimada") in view of Hartmann et al. (U.S. Patent No. 6,038,300, hereinafter, "Hartmann").

Regarding claim 1, Shimada teaches a method of implementing a local area network in a home telephone network having a network interface unit (see figure 3, network interface unit 100, col.1, ln.32-43), configured for sending and receiving ISDN-based signals to and from a public switched telephone network (see figure 3), and a four-wire bus including a two-wire send path and a two-wire receive path for sending and receiving the ISDN-based signals (see figure 4B, two wire send, two wire receive, 61, 62, col.2, ln.15-23), respectively, between the network interface unit and connected ISDN terminal devices, the method comprising:

transmitting network data signals between a first network node coupled to the four wire bus and a second network node coupled to the two-wire analog telephone line (see figure 4B, col.2, ln15-23).

It should be noticed that Shimada fails to teach a connecting of a high pass filter between the four-wire bus and a two-wire analog telephone line. However, Hartmann

teaches the connecting of a high pass filter between the four-wire bus and a two-wire analog telephone line (see figure 2, high pass filter 230, col.3, lines 24-54) for a purpose of blocking significant unwanted signals.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of connecting of a high pass filter between the four-wire bus and a two-wire analog telephone line, as taught by Hartmann, into view of Shimada in order to provide both voice and data services to subscriber at his or her premises.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al. (U.S Patent No. 5,050,190, hereinafter, "Shimada") in view of Hartmann et al. (U.S. Patent No. 6,038,300, hereinafter, "Hartmann") as applied to claim 1 above, and further in view of Dodds et al. (U.S. Patent No. 5,841,841, hereinafter, "Dodds").

Regarding claim 2, Shimada and Hartmann, in combination, fails to clearly teach a capacitive influences of each of the connected terminal devices from the two wire send path by adding a common mode choke between each terminal device and the two wire send path. However, Dodds teaches such features (see figure 2, capacitor 33, col.9, ln.1-9) for a purpose of providing a filter effect.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a capacitive influences of each of the connected terminal devices from the two wire send path by adding a common mode choke between each terminal device and the two wire send path, as taught by

Dodds, into view of Shimada and Hartmann in order to provide both voice and data services to subscriber at his or her premises.

***Allowable Subject Matter***

4. Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 8-12 are allowed.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Cheng et al. (U.S. Patent No. 6,259,708), Gagliardi et al. (U.S. Patent No. 5,442,630), and Kondoh et al. (U.S. Patent No. 5,093,845) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method for transmitting data and voice services on the ISDN line and signal generator for generating pulse signal having particular waveforms for data transmissions.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

**IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

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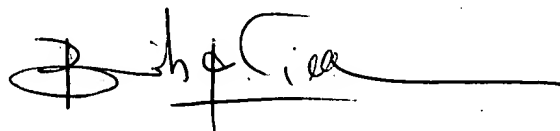
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

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Date: December 14, 2003

Examiner

Tuan Pham

A handwritten signature in black ink, appearing to read 'Binh Tieu', with a long horizontal line extending to the right.

**BINH TIEU  
PRIMARY EXAMINER**